

City Council
Atlanta, Georgia

AN ORDINANCE
BY: IVORY LEE YOUNG, JR.

Z-05-72
Date Filed: 7-12-05

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **3585, 3591 and 3599 Roxboro Road, N.E.** be changed from the R-3 (Single family Residential) District to the RG-3 (Residential General-Sector 3) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 9, 17th District, Fulton County Georgia, being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Exhibit "C"

LEGAL DESCRIPTION – ROXBORO ROAD TOWNHOMES

ALL THAT PARCEL OR TRACT OF LAND LYING AND BEING IN LAND LOT 9, 17TH DISTRICT, FULTON COUNTY, GEORGIA AND BEING IN THE NAME OF LOUISE A. CASH, BY DEED RECORDED IN DEED BOOK 4680 AT PAGE 470, AMONG THE LAND RECORDS OF FULTON COUNTY, GEORGIA AND BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERLY END OF THE MITERED INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LIMITS OF ROXBORO ROAD (A 50' RIGHT-OF-WAY) AND THE NORTHERLY RIGHT-OF-WAY LIMITS OF EULALIA ROAD (A 50' RIGHT-OF-WAY);

THENCE ALONG THE SAID EASTERLY RIGHT-OF-WAY LIMITS OF ROXBORO ROAD NORTH 43°20'38" WEST A DISTANCE OF 32.38 FEET;

THENCE CONTINUING NORTH 09°07'14" WEST A DISTANCE OF 212.31 FEET;

THENCE DEPARTING THE SAID EASTERLY RIGHT-OF-WAY LIMITS OF ROXBORO ROAD ALONG THE SOUTHERLY LINE OF 3607 ROXBORO, LLC (DEED BOOK 38992 AT PAGE 452) NORTH 88°07'38" EAST A DISTANCE OF 241.63 FEET TO THE WESTERLY LINE OF THIRTY-SIX FORTY-NINE PEACHTREE ROAD, A CONDOMINIUM (CONDOMINIUM PLAT BOOK 5 AT PAGE 12);

THENCE ALONG THE WESTERLY LINE OF THE SAID THIRTY-SIX FORTY-NINE PEACHTREE ROAD AND CONTINUING WITH THE WESTERLY LINE OF CHRISTOPHER J. DECOUFLE (DEED BOOK 21849 AT PAGE 206) SOUTH 08°54'44" EAST A DISTANCE OF 230.10 FEET TO THE SAID NORTHERLY RIGHT-OF-WAY LIMITS OF EULALIA ROAD;

THENCE ALONG THE SAID NORTHERLY RIGHT-OF-WAY LIMITS OF EULALIA ROAD SOUTH 86°26'54" WEST A DISTANCE OF 221.71 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.28 ACRES OR 55,704 SQUARE FEET OF LAND, MORE OR LESS.

2-05-72

